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Patent

Attorney Docket: 161,700-079

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

ST. GERMAIN et al.

Serial No.: 10/654,368

Filed: September 2, 2003

For: COUNTERPULSATION DEVICE  
WITH INCREASED VOLUME-  
DISPLACEMENT EFFICIENCY AND  
METHODS OF USE

Group Art Unit: 3762

Examiner: Not yet assigned

OIPE

STATUS INQUIRY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

No office action or other communication on the above application has been received since the NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT, mailed on April 6, 2004 (copy enclosed). Applicant respectfully requests to be informed of the status of the application. Please direct your response to the undersigned.

Respectfully submitted,

O'MELVENY & MYERS LLP

Dated: June 8, 2005

O'Melveny & Myers LLP  
114 Pacifica, Suite 100  
Irvine, CA 92618-3315  
(949) 737-2900

By: Diane K. Wong  
Diane K. Wong, Reg. No. 54,550  
Attorneys for Applicant

RECEIVED  
OIPE/IAP

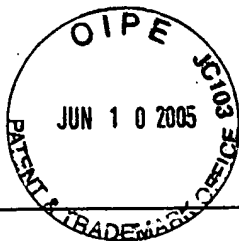
JUL 01 2005

CERTIFICATE OF MAILING (37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

June 8, 2005  
Date of Deposit  
IR1:1065648.1

Cynthia B. Pacheco  
Cynthia B. Pacheco



UNITED STATES PATENT AND TRADEMARK OFFICE

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UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

APRIL 06, 2004

PTAS



\*102551851A\*

O'MELVENY & MYERS LLP  
JOHN KAPPOS  
114 PACIFICA, SUITE 100  
IRVINE, CA 92618-3315

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

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RECORDATION DATE: 09/02/2003

REEL/FRAME: 014480/0409  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

ST. GERMAIN, JON P.

DOC DATE: 08/22/2003

ASSIGNOR:

KEITH, PETER T.

DOC DATE: 08/25/2003

ASSIGNOR:

BARBUT, DENISE R.

DOC DATE: 08/23/2003

ASSIGNEE:

COAXIA, INC.  
10900 73RD AVENUE NORTH, SUITE 102  
MAPLE GROVE, MINNESOTA 55369-5400

SERIAL NUMBER: 10654368

PATENT NUMBER:

FILING DATE: 09/02/2003

ISSUE DATE:

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014480/0409 PAGE 2

PAULA MCCRAY, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

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OIP E

09-16-2003

FORM PTO-1595  
1-31-92

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Docket No. 16,700-079

102551851

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):  
Jon P. St. Germain, Peter T. Keith and Denise R. Barbut  
Additional name(s) of conveying party(ies) attached?  
☐ Yes ☒ No

2. Name and address of receiving party:  
Name: COAXIA, INC.

Internal Address:

City: State: Zip:

Street Address: 10900 73<sup>rd</sup> Avenue North, Suite 102

City: Maple Grove State: MN Zip: 55369-5400

Additional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:  
☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
  
☐ Other \_\_\_\_\_

Execution Date: August 25, 2003

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: August 25, 2003

A. Patent Application No(s): \_\_\_\_\_

B. Patent No(s): \_\_\_\_\_

10,654,368

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:  
Name: John Kappos

Internal Address: O'Melveny & Myers LLP  
114 Pacifica, Suite 100  
Irvine, CA 92618-3315

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$ 40.00

☒ Enclosed

☒ Charge this Deposit Account if any additional fee is required

8. Deposit Account Number: 50-0639

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9. Statement and signature:

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

John Kappos  
John Kappos, Reg. No. 37,861

Date: September 2, 2003

Total number of pages including cover sheet: 3

OMB No. 0651-0011 (exp. 4/94)

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Mail documents to be recorded with required cover sheet information to:

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Washington, D.C. 20231

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project, (0651-0011), Washington, D.C. 20503

ASSIGNMENT OF PATENT APPLICATION

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WHEREAS, WE, JON P. ST. GERMAIN, PETER T. KEITH and DENISE BARBUT, citizens of U.S.A., having a place of business at 10900 73<sup>rd</sup> Avenue North, Suite 102, Maple Grove, MN 55369 (hereinafter referred to as "ASSIGNORS"), have invented COUNTERPULSATION DEVICE WITH INCREASED VOLUME-DISPLACEMENT EFFICIENCY AND METHODS OF USE for which application for Letters Patent of the United States of America is filed herewith; and

WHEREAS, COAXIA, INC., a corporation organized and existing under and by virtue of the laws of the state of Delaware and having its principal place of business at 10900 73<sup>rd</sup> Avenue North, Suite 102, Maple Grove, MN 55369 (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the exclusive right, title and interest in, to and under said invention and in, to and under any Patent or similar legal protection to be obtained therefor in the United States of America, its territorial possessions and in any and all countries foreign thereto.

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NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign, transfer and set over unto the said ASSIGNEE, its successors and assigns, the full and exclusive right, title and interest to said invention and to all Letters Patent or application or similar legal protection, not only in the United States and its territorial possessions, but in all countries foreign thereto, to be obtained for said invention by said application, and to any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in the United States or a foreign country for the full term or terms for which the same may be granted, including all priority rights under the International Convention; and

ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue

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said Letters Patent or any legal equivalent thereof to said ASSIGNEE, its successors and assigns, in accordance with this Assignment.

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ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Agreement;

ASSIGNORS further covenant that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention, and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNORS and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents in the United States or in any foreign country, which may be necessary or desirable to carry out the purposes thereof.

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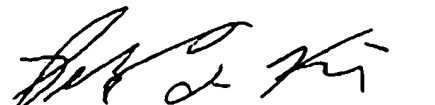
IN WITNESS WHEREOF, the ASSIGNOR has executed this Assignment at:

Maple Grove, MN  
(City)

  
Jon P. St. Germain

8-22-03  
Date

Maple Grove, MN  
(City)

  
Peter T. Keith

8/25/03  
Date

Maple Grove, MN  
(City)

  
Denisc R. Barbut

8/23/03  
Date

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RI:1046655 1